

BUREAU OF PROFESSIONAL STANDARDS
Internal Affairs Division


06 October 2008
CL #1019384

TO: Commanding Officer
Internal Affairs Division
General Investigation Section

FROM: Sergeant Majed Assaf #1778
Internal Affairs Division
General Investigation Section

SUBJECT: Approval of Complaint Log Investigation CL #1019384

The attached Complaint Log Investigation has been completed and is submitted
for your approval.


Sgt. Majed Assaf #1778

APPROVED:

For Sgt. Steven J. Cannizzo # 2493
Commanding Officer 07 OCT 08
Internal Affairs Division
General Investigation Section

SUMMARY REPORT DIGEST

CHICAGO POLICE DEPARTMENT

COMPLAINT LOG NO.
1019384

TYPE
CR

DATE OF REPORT (Day-Mo.-Yr.)
06 October 2008

INSTRUCTION8: To be used in all cases that are to be classified as either **EXONERATED**, **UNFOUNDED**, **NOT SUSTAINED**, or in **SUSTAINED** cases where the Disciplinary Recommendation does not exceed **FIVE (5) DAYS SUSPENSION**. SUBMIT ORIGINAL AND 3 COPIES IF ASSIGNED TO SAME UNIT AS ACCUSED. SUBMIT ORIGINAL AND 4 COPIES IF NOT ASSIGNED TO SAME UNIT AS ACCUSED

TO: ☐ CHIEF ADMINISTRATOR,
INDEPENDENT POLICE REVIEW AUTHORITY ☒ CHIEF,
INTERNAL AFFAIRS DIVISION

FROM - INVESTIGATOR'S NAME Majed Assaf	RANK Sgt.	STAR NO. 1778	EMPLOYEE NO. [REDACTED]	UNIT ASSIGN. 121	UNIT DETAILED
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REFERENCE NOS. (LIST ALL RELATED C.L., C. B., I.R., INVENTORY NOS., ETC., PERTINENT TO THIS INVESTIGATION)

CL 1019384, HP513499, INV #11396343, INV #11399848

ADDRESS OF INCIDENT 1011 S. Homan Ave. Chicago, IL. 60624	DATE OF INCIDENT - TIME 25 August 2008 1230	BEAT OF INCIDENT 1134
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ACCUSED	NAME	RANK	STAR NO.	EMPLOYEE NO.	UNIT ASSIGN.	UNIT DETAILED
	1. WALLER, Fred L.	SGT	1822	[REDACTED]	193	
	2. TERESI, Martin J.	P/O	11254	[REDACTED]	022	193
	3.					

SEX/RACE	D.O.B.	DATE OF APPOINTMENT	DUTY STATUS (TIME OF INCIDENT)	<input checked="" type="checkbox"/> SWORN <input type="checkbox"/> CIVILIAN
1. M/1	[REDACTED] Aug 1961	16 June 1986	<input checked="" type="checkbox"/> ON DUTY <input type="checkbox"/> OFF DUTY	
2. M/2	[REDACTED] Feb 1971	29 June 1998	<input checked="" type="checkbox"/> ON DUTY <input type="checkbox"/> OFF DUTY	<input checked="" type="checkbox"/> SWORN <input type="checkbox"/> CIVILIAN
3.			<input type="checkbox"/> ON DUTY <input type="checkbox"/> OFF DUTY	<input type="checkbox"/> SWORN <input type="checkbox"/> CIVILIAN

IF APPLIES, DATE ARRESTED/INDICTED	CHARGES	COURT BRANCH	DISPOSITION & DATE
1.			
2.			
3.			

COMPLAINANT	NAME	ADDRESS**	CITY	STATE	TELEPHONE	SEX/RACE	D.O.B./AGE
	[REDACTED]	[REDACTED]			[REDACTED]	M/4	[REDACTED] Oct. 1950/57

VICTIMS	NAME	ADDRESS**	CITY	STATE	TELEPHONE	SEX/RACE	D.O.B./AGE

WITNESSES	NAME	ADDRESS**	CITY	STATE	TELEPHONE	SEX/RACE	D.O.B./AGE

☐ SEE ATTACHED SHEET FOR ADDITIONAL ACCUSED, COMPLAINANTS, VICTIMS, WITNESSES.

**IF CPD MEMBER, LIST RANK, STAR, EMPLOYEE NOS. IN ADDRESS, PAX/BELL IN TELEPHONE BOX.

ALLEGATIONS	SEE ATTACHED PAGES

Briefly summarize the investigation describing your efforts to prove or disprove the allegation(s). Indicate whether witnesses or evidence support or do not support the allegation(s).
In sustained cases ONLY, copies of the accused member's Summary of Previous Disciplinary Actions and Record of Previous Complimentary History will be included as attachments.

SEE ATTACHED PAGES

SUMMARY

ATTACH-
MENTS

INVESTIGATIVE REPORTS-
SUPPORTING ALLEGATION
LIST ATTACHMENT NUMBERS:
4,5,6,7,8,

INVESTIGATIVE REPORTS-
SUPPORTING ACCUSED MEMBER(S)
LIST ATTACHMENT NUMBERS:
16,17

PHYSICAL EVIDENCE LIST
ATTACHMENT NUMBERS:

TOTAL NUMBER OF ATTACHMENTS
SUBMITTED WITH THIS FILE:

22

Summarize the findings and recommendations. Rule violations will be cited by number only. One overall recommendation for Disciplinary Action will be made by the investigator. The recommendation will be for ALL sustained findings; recommendations will NOT be made for each sustained allegation.
Example: 1. Violation noted, no disciplinary action warranted. 2. That the accused member be reprimanded. 3. That the accused member be suspended for --- days (not to exceed 5 days).

SEE ATTACHED PAGES

FINDINGS - RECOMMENDATIONS

DATE INITIATED (Date complaint was received for investigation)
28 AUGUST 2008

DATE COMPLETED (Date of this report)
06 October 2008

ELAPSED TIME (Total time expressed in days)
39

Investigator will initiate the Command Channel Review form by
completing the Investigator's Section

INVESTIGATOR'S SIGNATURE
✓ Sgt. Majed Assaf

Printed by: Sgt. Majed Assaf
Date: 06 October 2008
Page: 1 of 1

IF NECESSARY, USE AN 8 1/2 x 11" SHEET OF WHITE PAPER TO CONTINUE ANY ITEM.

BUREAU OF PROFESSIONAL STANDARDS
Internal Affairs Division

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SUMMARY REPORT DIGEST

ALLEGATIONS:

ACCUSED #1: **Sgt. Fred L. Waller, Star # 1822, Employee # [REDACTED] Unit 193**

On 14 August 2008, at 727 E. 111th St. (005 District) it is alleged that accused Sgt. Fred Waller #1822 submitted and approved for inventory \$5,286.00 USC in Property Evidence envelope #11396343. On 17 August 2008, at 727 E. 111th St. (005 District), it is alleged that accused Sgt. Fred Waller #1822 returned and re-submitted and approved for inventory the \$5,286.00 USC in a Property Evidence envelope #11399848. On 25 August 2008 upon being verified by Chase Bank it was discovered that the actual amount contained in the Property Evidence envelope was \$4,586.00.

ACCUSED #2: **Police Officer Martin J. Teresi, Star #11254, Employee # [REDACTED] Unit 193.**

On 14 August 2008, at 727 E. 111th St. (005 District) it is alleged that accused P/O Teresi #11254 submitted for inventory \$5,286.00 USC in Property Evidence envelope #11396343. On 17 August 2008, at 727 E. 111th St. (005 District), it is alleged that accused P/O Martin Teresi Star #11254 returned and re-submitted for inventory the \$5,286.00 USC in a Property Evidence envelope #11399848. On 25 August 2008 upon being verified by Chase Bank it was discovered that the actual amount contained in the Property Evidence envelope was \$4,586.00

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SUMMARY REPORT DIGEST:

The undersigned was assigned this investigation via the normal channels of this command on 27 August 2008 and acknowledged receipt on 28 August 2008. The initiation report of Sgt. Thomas Rodriguez #818, inventory sheet #11399848 and bank receipt (Attachment # 4), were included in this investigative file. The undersigned obtained the initial deleted inventory sheet #11396343 (Attachment #5), Supplementary report (Attachment #6) Vice case report (Attachment #7), related inventory sheets #11399869, #11396385, #11396329 (Attachment #8), 005 District A&A sheets for 14 August 2008 3rd watch (Attachment #9) and 005 District A&A sheets for 17 August 2008 2nd watch (Attachment #10).

The undersigned reviewed the aforementioned reports and learned that the subject USC was seized in an on-going Area 2 Gang Intelligence Narcotics investigation conducted by the accused. The USC was seized from a M/1/21 subject [REDACTED] who has denied ownership of the USC. Further review of the relevant reports revealed that the amount declared on inventory #11399848 (Attachment #4) is consistent with the amount declared on all the reports submitted by accused including the initial deleted inventory #11396343 (Attachment #5).

The Witness, P/O Helen Adams #11084 was notified to appear (Attachment #12) on 04 September 2008 and reported to IAD on 09 September 2008 for a formal statement (Attachment #15). In her statement, P/O Adams related that she did not recall encountering neither P/O Teresi nor Sgt. Waller nor did she recall any other personnel taking anything out of the safe on 17 August 2008, while fulfilling her duties as Acting Desk Sergeant. She further related that the keys for the safe are inside the Desk Sergeants desk and that it is the responsibility of the Desk Sergeant to place inventoried items in the safe and no personnel are allowed to place or remove items from the safe without the Desk Sergeant's permission. She also related that the safe is in plain view of the desk personnel.

The Witness, Sgt. Tommy Walker #2328 was notified to appear (Attachment #11) on 01 October 2008 and reported to IAD on 06 October 2008 for a formal statement (Attachment #18). In his statement, Sgt. Walker related that he did not recall encountering neither P/O Teresi nor Sgt. Waller, nor does he recall inventory #11396343 (Attachment #5) specifically.

The accused, P/O Martin Teresi #11254, was served with administrative proceeding rights and notification of charges/allegations (Attachment #13) on 04 September 2008 and reported to IAD on 10 September 2008 for a formal statement (Attachment #16). P/O Teresi related that while conducting a narcotics investigation On 14 August 2008 an amount of USC was recovered/seized and transported to Area 2. The subject USC was

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counted by him and then by his supervisor Sgt. Waller for verification. He related that the amount was \$5,286.00 which was initially inventoried under inventory #11396343 along with the four (4) white envelopes and plastic bag in which the USC was recovered/seized. He further related that they were notified on 17 August 2008 that ERPS courier would not accept inventory #11396343 due to e-track guidelines prohibiting the inventorying of other items along with USC. Inventory #11396343 was returned to him and he was instructed to re-inventory all items separately (Attachment #8). He further related that neither he nor Sgt. Waller recounted the USC upon re-inventorying same. He added that upon completion all of the newly generated inventories were resubmitted, approved by Sgt. Waller and turned over to 005 District desk personnel and deposited in the 005 District desk safe. P/O Teresi could not recall specifically by whom nor to whom the inventories were turned over.

The accused, Sgt. Fred Waller #1822, was served with administrative proceeding rights and notification of charges/allegations (Attachment #14) on 04 September 2008 and reported to IAD on 10 September 2008 for a formal statement (Attachment #17). Sgt. Waller also related that while conducting a narcotics investigation an amount of USC was recovered/seized from a suspect [REDACTED] and transported to Area 2 for processing. He further related that P/O Teresi counted the USC and submitted same in inventory #11396343. Sgt. Waller added that he counted and verified the amount to be \$5,286.00 and approved inventory #11396343. Sgt. Waller could not recall by whom the inventory #1139643 was deposited in the safe. Sgt. Waller explained that the reason the USC was re-inventoried was due to ERPS courier refusal to accept inventory #1139643 because the bag and envelopes in which the USC was recovered/seized were inventoried along with the USC rather than separately. He also related that upon approving the re-inventory of the USC in inventory #11399848 he did not recount same nor could he recall by whom it was deposited in the 005 District safe.

SUMMARY REPORT DIGEST

FINDINGS:

ACCUSED #1: Sgt. Fred L. Waller, Star # 1822, Employee # [REDACTED] Unit 193.

ALLEGATION: SUSTAINED – Violation of Rule 10
Inattention to duty in that on 14 August 2008, at 727 E. 111th St. (005 District) it is alleged that accused Sgt. Fred Waller #1822 submitted and approved for inventory \$5,286.00 USC in Property Evidence envelope #11396343. On 17 August 2008, at 727 E. 111th St. (005 District), it is alleged that accused Sgt. Fred Waller #1822 returned and re-submitted and approved for inventory the \$5,286.00 USC in a Property Evidence envelope #11399848. On 25 August 2008 upon being verified by Chase Bank it was discovered that the actual amount contained in the Property Evidence envelope was \$4,586.00.

ACCUSED #2: Police Officer Martin J. Teresi, Star #11254, Employee # [REDACTED] Unit 193.

ALLEGATION: SUSTAINED – Violation of Rule 10
Inattention to duty in that on 14 August 2008, at 727 E. 111th St. (005 District) it is alleged that accused P/O Teresi #11254 submitted for inventory \$5,286.00 USC in Property Evidence envelope #11396343. On 17 August 2008, at 727 E. 111th St. (005 District), it is alleged that accused P/O Martin Teresi Star #11254 returned and re-submitted for inventory the \$5,286.00 USC in a Property Evidence envelope #11399848. On 25 August 2008 upon being verified by Chase Bank it was discovered that the actual amount contained in the Property Evidence envelope was \$4,586.00.

SUMMARY REPORT DIGEST

RECOMMENDATIONS:

ACCUSED #1:

After reviewing the evidence gathered in this investigation, the undersigned finds substantial evidence to sustain the allegation against the accused. Based on the sustained finding and after reviewing the complimentary and disciplinary histories of the accused; the undersigned recommends the accused Sgt. Fred Waller Star #1822, Employee # [REDACTED] be **SUSPENDED** for **One (1)** day(s).

ACCUSED #2:

After reviewing the evidence gathered in this investigation, the undersigned finds substantial evidence to sustain the allegation against the accused. Based on the sustained finding and after reviewing the complimentary and disciplinary histories of the accused; the undersigned recommends the accused P/O Martin J. Teresi Star #11254, Employee # [REDACTED] be **REPRIMANDED**.

Sgt. Majed Assaf #1778

Attachments

View	Type	Related Person	Case No.	Narrative	Original In File	Original Date/Time	Status	Approve Comment?	Approve Inclusion?	Comments
View 1	FACE SHEET	N/A				WOLF E, DIANE	25-AUG-2008 13:08	[EDIT]		
View 2	CONFLICT CERTIFICATION	N/A				ASSAF MAJE D	28-AUG-2008 08:26	[EDIT]		
View 3	SWORN AFFIDAVIT FROM COMPLAINT	N/A	1	Department member-Affidavit not required	YES	ASSAF MAJE D	28-AUG-2008 09:32	[EDIT]	YES	
View 4	INITIATION REPORT	N/A	4	Initiation report-including related documents.	YES	ASSAF MAJE D	28-AUG-2008 09:27	[EDIT]	YES	YES
View 5	INVENTORY SHEET	N/A	2	Initial deleted inventory	YES	ASSAF MAJE D	28-AUG-2008 09:24	[EDIT]	YES	YES
View 6	REPORT (OTHER)	N/A	2	Supplementary Report	YES	ASSAF MAJE D	30-AUG-2008 10:20	[EDIT]	YES	YES
View 7	VICE CASE REPORTS	N/A	3	Vice case and Gang Intelligence supplementary report	YES	ASSAF MAJE D	02-SEP-2008 13:25	[EDIT]	YES	
View 8	INVENTORY SHEET	N/A	4		YES	ASSAF MAJE D	02-SEP-2008 13:27	[EDIT]	YES	
View 9	ATTENDANCE AND ASSIGNMENT RECORD	N/A	5	14 August 2008 3rd watch	YES	ASSAF MAJE D	02-SEP-2008 13:29	[EDIT]	YES	
View 10	ATTENDANCE AND ASSIGNMENT RECORD	N/A	6	17 August 2008 2nd watch	YES	ASSAF MAJE D	02-SEP-2008 13:35	[EDIT]	YES	
View 11	WITNESS NOTIFICATION S-	WITNESS				ASSAF MAJE D	04-SEP-	WITNESS ACKNOWLEDGMENT	[EDIT]	

	ION FOR WALKER, TOMMY	WALKER, TOMMY				MAJE D	2008 10:11	EDGED NOTIFICAT ION	[
View 1 2	WITNESS NOTIFICATION FOR ADAMS, HELEN	WITNES S - ADAMS, HELEN				ASSAF , MAJE D	04-SEP-2008 10:12	WITNESS ACKNOWLEDGED NOTIFICAT ION	[	ED IT	
View 1 3	ACCUSED NOTIFICATION OF ALLEGATIONS FOR TERESI, MARTIN	ACCUSE D - TERESI, MARTIN				ASSAF , MAJE D	04-SEP-2008 12:10	ACCUSED ACKNOWLEDGED ALLEGATI ONS	[	ED IT	
View 1 4	ACCUSED NOTIFICATION OF ALLEGATIONS FOR WALLER, FRED	ACCUSE D - WALLER, FRED				ASSAF , MAJE D	04-SEP-2008 12:11	ACCUSED ACKNOWLEDGED ALLEGATI ONS	[	ED IT	
View 1 5	STATEMENT OF POLICE OFFICER	N/A	4	Statement of P/O Adams	YES	ASSAF , MAJE D	09-SEP-2008 09:58	APPROVED	[	ED IT	YES
View 1 6	STATEMENT OF POLICE OFFICER	N/A	4	Teresi Statement	YES	ASSAF , MAJE D	10-SEP-2008 12:13	APPROVED	[	ED IT	YES
View 1 7	STATEMENT OF POLICE OFFICER	N/A	4	Waller Statement	YES	ASSAF , MAJE D	10-SEP-2008 12:15	APPROVED	[	ED IT	YES
View 1 8	STATEMENT OF POLICE OFFICER	N/A	3	Sgt. Tommy Walker Interview	YES	ASSAF , MAJE D	06-OCT-2008 13:21	PENDING SUPERVISOR REVIEW	[	ED IT	
View 1 9	COMPLIMENTARY HISTORY	N/A	1	P/O Martin Teresi	YES	ASSAF , MAJE D	06-OCT-2008 13:33	APPROVED	[	ED IT	YES
View 2 0	DISCIPLINARY HISTORY	N/A	1	P/O Martin Teresi	YES	ASSAF , MAJE D	08-OCT-2008 13:34	APPROVED	[	ED IT	YES
View 2 1	COMPLIMENTARY HISTORY	N/A	1	Sgt. Fred Waller	YES	ASSAF , MAJE D	08-OCT-2008 13:35	APPROVED	[	ED IT	YES
View 2 2	DISCIPLINARY HISTORY	N/A	1	Sgt. Fred Waller	YES	ASSAF , MAJE D	08-OCT-2008 13:36	APPROVED	[	ED IT	YES